

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

IRON WORKERS' MID-AMERICA	)	
PENSION PLAN, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	CIVIL ACTION
	)	
vs.	)	NO. 09 C 0303
	)	
MELISSA KOCH, d/b/a RYDER STEEL	)	JUDGE WAYNE R. ANDERSEN
CONSTRUCTION,	)	
	)	
Defendant.	)	

**MOTION FOR ENTRY OF JUDGMENT**

Plaintiffs, by and through their attorneys, default having been entered against the Defendant on March 12, 2009, request this Court enter judgment against Defendant, MELISSA KOCH, d/b/a RYDER STEEL CONSTRUCTION. In support of that Motion, Plaintiffs state:

1. On March 12, 2009, this Court entered default against Defendant and granted Plaintiffs' request for an order directing an audit of the Defendant's payroll books and records for the time period January 1, 2006 forward. The Court also entered an order that judgment would be entered after the completion of the audit.
2. Plaintiffs were required to pursue show cause proceedings in order to obtain documents necessary to complete the audit.
3. Plaintiffs' auditors conducted the audit on April 11, 2010. The audit findings show Defendant was delinquent in contributions and liquidated damages to the Funds in the total amount of \$457,189.41.

4. Plaintiff Funds have revised the audit findings. The revised audit findings show Defendant is delinquent in contributions to the Funds in the total amount of \$34,572.41. (See Affidavits of Joseph J. Burke and Timothy E. Elliott).

5. Additionally, the amount of \$8,070.70 is due the Mid-America Funds for liquidated damages. (Burke Aff. ¶5). The amount of \$5,006.94 is due the Tri-State Welfare Fund for liquidated damages. (Elliott Aff. ¶4). Plaintiffs' auditing firm of Legacy Professionals, LLP charged Plaintiffs \$5,410.44 to perform the audit examination and complete the report (Burke Aff. ¶6; Elliott Aff. ¶5). The audit findings and revised findings are attached hereto.

6. In addition, Plaintiffs' firm has expended \$1,534.75 for costs and \$6,595.00 in attorneys' fees in this matter. (See Affidavit of Catherine M. Chapman).

7. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$61,190.24.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$61,190.24.

/s/ Patrick N. Ryan

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## **CERTIFICATE OF SERVICE**

The undersigned, an attorney of record, hereby certifies that he electronically filed the foregoing document (Motion for Entry of Judgment) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 19th day of August 2010:

Ms. Melissa Koch  
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Mr. Tony L. Brasel  
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/s/ Patrick N. Ryan \_\_\_\_\_

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